

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

NEW BALANCE ATHLETIC SHOE, INC.,

Plaintiff,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

08 CV 6386  
JUDGE DANIELS

M/V "HAMMONIA EXPRESS", her engines,  
boilers, tackle, etc., in rem, Hapag-Lloyd  
Aktiengesellschaft, and American President  
Lines, Ltd., in personam,

Defendants.

TO: (Name and address of defendant)

Hapag-Lloyd Aktiengesellschaft, c/o Hapag-Lloyd America, Inc.  
One Edgewater Plaza, Staten Island, New York 10305

American President Lines, Ltd. - 100 Central Avenue, Building 40C,  
South Kearny, New Jersey 07032

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

HILL RIVKINS & HAYDEN LLP  
45 Broadway, Suite 1500  
New York, New York 10006

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 11 2008

CLERK

DATE

*Catherine Lapley*

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

**RETURN OF SERVICE**

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☐ Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
--------	----------	-------

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Page 27 - GENERAL PURPOSE

HILL RIVKINS & HAYDEN LLP

ATTN:

U.S. DIST. SOUTHERN COURT NEW YORK COUNTY

NEW BALANCE ATHLETIC SHOE, INC. plaintiff

- against -

M/V "HAMMONIA EXPRESS", HER ENGINES, defendant  
BOILERS, TCKLE, ETC. ETAL

STATE OF NEW YORK, COUNTY OF NEW YORK

Index No. 08 CV 6386

Date Filed .....

Office No. 29795-TEW

Court Date: / /

:SS:

DANIEL KNIGHT being duly sworn, deposes and says:  
I am over 18 years of age, not a party to this action, and reside in the  
State of New York.

That on the 24th day of July, 2008 at 02:13 PM.,  
HAPAG-LLOYD AMERICA, INC. 399 HOES LANE  
PISCATAWAY, NJ 08854

at

I served a true copy of the  
SUMMONS AND COMPLAINT  
7.1 STATEMENT INDIVIDUAL JUDGES RULES  
AND NOTICE OF INITIAL PRETRIAL CONFERENCE

upon HAPAG-LLOYD AKTIENGBELLSCHAFT  
the DEFENDANT therein named,  
by delivering to, and leaving personally with  
SILVIA PICORNELL, HUMAN RESOURCES CLERK & GENERAL AGENT

a true copy of each thereof.

Deponent describes the person served as aforesaid to the best of deponent's  
ability at the time and circumstances of the aforesaid service as follows:

SEX: FEMALE	COLOR: WHITE	HAIR: BROWN
APP. AGE: 46	APP. HT: 5:5	APP. WT: 130

OTHER IDENTIFYING FEATURES:

Sworn to before me this  
29th day of July, 2008ni

JOEL GOLUB  
Notary Public, State of New York  
No. 01G04751136  
Qualified in NASSAU COUNTY  
Commission Expires 12/31/2009

DANIEL KNIGHT  
AETNA CENTRAL JUDICIAL SERVICES  
225 BROADWAY, SUITE 1802  
NEW YORK, NY, 10007  
Reference No: 7HRL0M140592